Present: Ellen Morton – Chair

 Bob Darracott (BD) – Depute Chair

 Willie Nisbet (WN)

 David McCowan (DMcC)

Billy Ronald (BR) - part

 Graham Lambie (GL)

 Claire Chapman (CC)

 Christopher Spray (CS)

 Ronnie Erskine (RE)

 Martin Earl (ME)

 Murray Lyle (ML)

In Attendance: Park Authority Staff

 Stuart Mearns, Director of Rural Development and Planning (SM)

 Bob Cook, Development Management Manager (Delivery) (BC)

 Catherine Stuart, Development Management Manager (Performance

 and Support) (CStu) - part

 Caroline Strugnell, Development Management Planner (CStr)

 Sharon McIntyre, Committee Officer (SMcI)

 Alastair McKie, Legal Clerk, Anderson Strathern LLP (AM)

Apologies: Diane Docherty (DD)

| **Item** | **Title / Discussion** | **Action by** |
| --- | --- | --- |
| **1** | **Welcome and Apologies** |  |
|  | The Chair welcomed those present to the meeting.The Chair advised that apologies had been received from DD. SMcI advised that BR was not present.  |  |
| **2** | **Declarations of Interest** |  |
|  | DMcC advised that he is the Chair of the Luss and Arden Community Development Trust and the speakers are known through minor business transactions although this did not result in having a declarable interest with regard to the applications. |  |
| **3** | **Draft minute of meeting held on 26th August 2019** |  |
|  | The minute was proposed for approval by BD and seconded by WN. The minute was therefore approved by the Committee. |  |
| **4** | **Draft Matters Arising**Members noted the matters arising.*BR joined the meeting.* |  |
| **5** | **Overarching Report for the determination of** **2016/0394/DET, 2016/0392/DET, 2016/0390/DET, 2016/0389/DET, 2016/0387/DET, 2016/0388/DET, 2016/0393/DET and 2016/0391/DET**The Chair advised that the applications were being presented together within an overarching report because, collectively, they form a package of proposals that aims to address strategic development objectives for the West Loch Lomondside area in accordance with the National Park’s West Loch Lomondside Rural Development Framework Area Supplementary Guidance. The package of proposals, if approved, would be linked by a common Section 75 legal agreement. The Chair sought clarification from the Committee that they understood the reasoning why these applications were being presented as a package of applications. Members confirmed their understanding of this process.AM asked Members if they would be minded to suspend Standing Orders to allow speakers to speak for a period of more than five minutes to state their case as some speakers have requested to speak on multiple applications. Members unanimously agreed to suspend Standing Orders. AM outlined the order of consideration for each of the planning applications and when speakers would be invited to speak. Members were in agreement with this approach.**Consideration of Items**Planning Officer (CStr) advised that in accordance with paragraph 5 of the Scheme of Delegation, these applications were being presented to the Planning and Access Committee because:* The three applications for development proposed in the Muirlands area (application references 2016/0390/DET, 2016/0392/DET and 2016/0394/DET) have been the subject of a significant level of valid objection.
* The Community Council has formally objected on valid planning grounds in relation to the three applications in the Muirlands area (application references 2016/0390/DET, 2016/0392/DET and 2016/0394/DET) and the officer recommendation is to approve, and
* The Planning Authority has decided that in this case the particular circumstances of the remaining applications, which would in the normal course of events be dealt with under the Scheme of Delegation, are such that the applications should be determined by the Planning and Access Committee because all eight applications, together, form an interdependent package of proposals that would be linked by a common Section 75 legal agreement.
 |  |
|  | CStr presented the Overarching Report providing background to the approach taken in relation to these eight applications. CStr put forward the recommendation of the Director of Rural Development and Planning, to approve all eight applications subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a common section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. |  |
|  |  |  |
|  | Members asked questions of officers and discussion took place regarding the quota of affordable housing, financial viability of the proposed development, compensatory tree planting, permitted development rights, roads and traffic, with questioning of Donna Lawson, Argyll & Bute Council Roads Officer present.SPEAKER: Mr Simon J Millerwho was speaking on behalf of himself as the applicant was then invited to address the Committee. He did so in support of all the applications 2016/0394/DET, 2016/0392/DET, 2016/0390/DET, 2016/0389/DET, 2016/0387/DET, 2016/0388/DET, 2016/0393/DET and 2016/0391/DET.Members asked questions of Mr Simon J Millerand officers. Discussion took place regarding the applications.Further discussion took place with two proposed amendments to the section 75 agreement/planning obligation identified by members for:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

CStr introduced applications 2016/0394/DET, 2016/0392/DET and 2016/0390/DET. *A short comfort break took place.*Members asked questions of officers and discussion took place regarding road safety.SPEAKER: Mr John Kelly who was speaking on behalf of himself was then invited to address the Committee. He did so in objection of the applications 2016/0394/DET, 2016/0392/DET and 2016/0390/DET and the overarching application.Members asked questions of Mr John Kelly and officers. Discussion took place regarding the application.CStr introduced application 2016/0389/DET. Members asked questions of officers and discussion took place regarding flood risk.SPEAKER: Mr Andrew McClay who was speaking on behalf of himself was then invited to address the Committee. He did so in objection of 2016/0389/DET and the overarching application.Members asked questions of Andrew McClay and officers. Discussion took place regarding the application.CStr introduced applications 2016/0387/DET and 2016/0388/DET. Members asked questions of officers and discussion took place regarding the ownership and maintenance of the Noble Fir tree situated within the plot and public transport to the proposed development.Members discussed the possibility of including the Noble Fir Tree in the maintenance obligation of the future owner of the plot in relation to application 2016/0388/DET.SPEAKER: Ms Fiona Hannay who was speaking on behalf of herself was then invited to address the Committee. She did so with reference to applications 2016/0387/DET and 2016/0388/DET neither in support or objection.Members asked questions of Fiona Hannay and officers. Discussion took place regarding the application.CStr introduced applications 2016/0393/DET and 2016/0391/DET.Members asked questions of officers and discussion took place regarding public transport, drainage and phasing of the proposed development. *CStu joined the meeting.*AM advised that the Committee would now move to the determination of each application.AM summarised the amendments proposed throughout the duration of the meeting in relation to the common section 75 agreement:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.
* Ownership of the mature Noble Fir tree will remain with Luss Estates Company and not be passed to the purchaser of the serviced affordable plot Land To The Northeast Of Oakbank Cottage, Porte O Rossdhu, G83 8RH unless otherwise agreed with the planning authority.

AM also summarised that the applicant confirmed that alterations to the phasing of the proposed development would not be possible due to the requirement for front funding.AM advised that the recommendation of the Director of Rural Development and Planning, was to approve all eight applications subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2.The Chair proposed an amendment to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement. WN seconded the amendment.AM sought any further amendments. DMcC proposed that the meeting would continue with a view of reaching a determination on each of the applications. BD seconded the further amendment.AM advised that Members would now vote on the second amendment against the first amendment.VotingFor the second amendment: The meeting would continue with a view to reaching a determination on each of the applications.6 votes were received.For the first amendment: to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement.5 votes were received.DECISION: The meeting would continue with a view to reaching a determination on each of the applications.AM advised that each application would now be taken in turn for determination. **2016/0394/DET - Land To The North Of Muirlands By Luss,** Erection of three dwellinghousesDMcC proposed an amendment to approve application 2016/0394/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

CC seconded the amendment.The Chair proposed an amendment to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement. WN seconded the second amendment.BD proposed a third amendment to approve application 2016/0394/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

And a planning condition to remove permitted development rights on the affordable and open market housing.ML seconded the third amendment.AM advised that Members would now vote on the third amendment against the second amendment.VotingFor the third amendment: to approve application 2016/0394/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

And a planning condition to remove permitted development rights on the affordable and open market housing.3 votes were received.For the second amendment: to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement.4 votes were received.The third amendment fell against the second amendment. AM advised that Members would now vote on the second amendment against the first amendment.VotingFor the second amendment: to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement.4 votes were received.For the first amendment: to approve application 2016/0394/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

7 votes were received.DECISION: to approve application 2016/0394/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

**2016/0392/DET - Land To The South Of Muirlands By Luss,** Erection of three dwellinghousesDMcC proposed an amendment to approve application 2016/0392/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

CS seconded the amendment.The Chair proposed an amendment to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement. RE seconded the second amendment.AM advised that Members would now vote on the second amendment against the first amendment.VotingFor the second amendment: to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement.4 votes were received.For the first amendment: to approve application 2016/0392/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

7 votes were received.DECISION: To approve application 2016/0392/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

**2016/0390/DET - Land To South Of The Old Schoolhouse Muirlands, Arden,** Erection of dwellinghouse (affordable)DMcC proposed an amendment to approve application 2016/0390/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

CC seconded the amendment.The Chair proposed a second amendment to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement. WN seconded the second amendment.AM advised that Members would now vote on the second amendment against the first amendment.VotingFor the second amendment: to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement.4 votes were received.For the first amendment: to approve application 2016/0390/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

7 votes were received.DECISION: To approve application 2016/0390/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

**2016/0389/DET - Land To The South Of Estate Road Arnburn By Luss,** Erection of four dwellinghouses and associated private road upgradeDMcC proposed an amendment to approve application 2016/0389/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

CS seconded the amendment.The Chair proposed a second amendment to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement. WN seconded the second amendment.AM advised that Members would now vote on the second amendment against the first amendment.VotingFor the second amendment: to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement.4 votes were received.For the first amendment: to approve application 2016/0389/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

7 votes were received.DECISION: To approve application 2016/0389/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

**2016/0387/DET - Land To The South Of Oakbank Cottage Porte O Rossdhu By Luss,** Erection of three dwellinghouses (affordable)DMcC proposed an amendment to approve application 2016/0387/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to 1) the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road and
1. A planning condition requiring an independent assessment of the drainage of the Land To The South Of Oakbank Cottage Porte O Rossdhu By Luss prior to commencement of development.

CS seconded the amendment.The Chair proposed a second amendment to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement. WN seconded the second amendment.AM advised that Members would now vote on the second amendment against the first amendment.VotingFor the second amendment: to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement. 4 votes were received.For the first amendment: to approve application 2016/0387/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to 1) the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road and
1. A planning condition requiring an independent assessment of the drainage of the Land To The South Of Oakbank Cottage Porte O Rossdhu By Luss prior to commencement of development.

7 votes were received.DECISION: To approve application 2016/0387/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to 1) the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road and
1. A planning condition requiring an independent assessment of the drainage of the Land To The South Of Oakbank Cottage Porte O Rossdhu By Luss prior to commencement of development.

**2016/0388/DET - Land To The Northeast Of Oakbank Cottage Porte O Rossdhu By Luss,** Erection of two dwellinghouses (affordable)DMcC proposed an amendment to approve application 2016/0388/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to 1) the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road and

2) A planning condition requiring an independent assessment of the drainage of the Land To The Northeast Of Oakbank Cottage Porte O Rossdhu By Luss prior to commencement of development.* A planning condition requiring that the ownership of the mature Noble Fir tree will remain with Luss Estates Company and not be passed to the purchaser of the serviced affordable plot Land To The Northeast Of Oakbank Cottage, Porte O Rossdhu, G83 8RH unless otherwise agreed with the planning authority.

BD seconded the amendment.The Chair proposed a second amendment to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement. RE seconded the second amendment.AM advised that Members would now vote on the second amendment against the first amendment.VotingFor the second amendment: to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement.3 votes were received.For the first amendment: to approve application 2016/0388/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to 1) the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road and

2) A planning condition requiring an independent assessment of the drainage of the Land To The Northeast Of Oakbank Cottage Porte O Rossdhu By Luss prior to commencement of development.* A planning condition requiring that the ownership of the mature Noble Fir tree will remain with Luss Estates Company and not be passed to the purchaser of the serviced affordable plot Land To The Northeast Of Oakbank Cottage, Porte O Rossdhu, G83 8RH unless otherwise agreed with the planning authority.

7 votes were received.DECISION: To approve application 2016/0388/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to 1) the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road and

2) A planning condition requiring an independent assessment of the drainage of the Land To The Northeast Of Oakbank Cottage Porte O Rossdhu By Luss prior to commencement of development.* A planning condition requiring that the ownership of the mature Noble Fir tree will remain with Luss Estates Company and not be passed to the purchaser of the serviced affordable plot Land To The Northeast Of Oakbank Cottage, Porte O Rossdhu, G83 8RH unless otherwise agreed with the planning authority.
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**2016/0393/DET - Land To The South Of Aldochlay By Luss,** Erection of three dwellinghousesDMcC proposed an amendment to approve application 2016/0393/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

GL seconded the amendment.The Chair proposed a second amendment to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement. WN seconded the second amendment.AM advised that Members would now vote on the second amendment against the first amendment.VotingFor the second amendment: to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement.3 votes were received.For the first amendment: to approve application 2016/0393/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

7 votes were received.DECISION: To approve application 2016/0393/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

**2016/0391/DET - Land To The North Of Hawthorn Cottage By Luss,** Erection of ten dwellinghousesDMcC proposed an amendment to approve application 2016/0393/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

GL seconded the amendment.The Chair proposed a second amendment to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement. WN seconded the second amendment.AM advised that Members would now vote on the second amendment against the first amendment.VotingFor the second amendment: to continue the consideration of all applications to a further meeting to enable the applicant, the Park Authority and their respective legal advisors to discuss conditions and amend the section 75 legal agreement.3 votes were received.For the first amendment: to approve application 2016/0393/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.

7 votes were received.DECISION: To approve application 2016/0393/DET subject to the imposition of the conditions set out in the individual Reports of Handling contained at Appendix 1 of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in Appendix 2. Subject to the updating of the section 75 agreement/planning obligation being updated to include:* Two hectares of compensatory planting of native tree species in Glen Luss with an appropriate maintenance obligation and replacement provision to be provided by Luss Estates Company.
* Ducting for broadband/fibre optic provided to the affordable housing plots from the public road.
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| **6** | **Planning Performance Framework 8 Report**Members agreed that this agenda item would be taken at next Planning & Access Committee meeting. |  |
| **7** | **Any Other Business**None |  |
| **8** | **Date of Next Meeting**The date of next meeting of the Planning & Access Committee is Monday 25th November 2019.  |  |

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Ellen Morton, Chair**